



GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Case under the P.C Act., 1988 against K.Jayabharatha Reddy, Dy. Executive Engineer, Public Health & three (3) others, Tadipatri Municipality – Acquitted by the Special Judge for trial of ACB cases at Kurnool in C.C.No. 38/2015 and 4/2016 – Further action dropped – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.III(1) DEPARTMENT

G.O.RT.No. 36

Dated: 10-01-2018

Read the following:-

1. From the D.G., A.C.B., AP., Hyd Lr.No.165/RCO-ATP/2011, dated.17.04.2013.
2. Govt. Memo No.9382/Vig.IV(1)/2013, dt.03.03.2014
3. Govt. Memo No.9382/Vig.I(1)/2013, dt.18.04.2015
4. G.O.Rt.No.53 MA&UD(VIG.I) Dept. dated 17.03.2015
5. From the D.G., A.C.B., AP. Hyd Lr. No.165/RCO-ATP/2011-S14, dt.31.08.2017 together with a copy of judgment dt.12.08.2017 delivered by Hon'ble Special Judge for trial of SPE & ACB cases, Kurnool, in C.C.Nos.38 of 2015 and 4 of 2015.

ORDER:

In the reference 1st cited, the Director General, ACB., AP., Hyderabad has submitted a final report requesting sanction of prosecution orders against the charged officers i.e., Sri Kandula Jayabharatha Reddy, Dy.Executive Engineer & Municipal Commissioner(FAC), Sri P. Raja Gopal, Jr. Asst., (AO-2) Sri R. Shabbir, Work Inspector, i/c. TPBO (AO-3) and Sri G.Rachaiah, Asst. Engineer & i/c. TPBO, office of the Municipal Commissioner Tadipatri of Anantapur District for misusing their official position in allotting the house sites in Tadipatri Municipality in a court of law u/s 13 (2) r/w 13(1) (c) & (d) and 15 of P.C. Act.

2. In the references 2nd and 3rd read above, the Director of Municipal Administration, A.P., Guntur has been directed to accord sanction of prosecution against accused officers i.e, Sri P.Raja Gopal, Jr. Assistant, Sri R.Shabbir, Work Inspector & TPBO I/c) and Sri G.Rachaiah, Asst. Engineer & TOP (i/c), O/o Municipal Commissioner, Tadipatri in a court of law under section 13 (2) r/w 13(1) (c) & (d) and 15 of P.C. Act, 1988. In the reference 4th read above, Government have sanctioned prosecution orders against Sri Kandula Jayabharatha Reddy, Deputy Executive Engineer, & Municipal Commissioner (FAC), O/o Municipal Commissioner, Tadipatri Municipality, Anantapur District under section 13 (2) r/w 13(1) (c) & (d)

(P.T.O)

and 15 of P.C. Act, 1988.

3. In the reference 5th read above, the Director General, ACB, AP., Guntur has informed that the charge sheets were filed against the Accused Officers, viz., 1) Sri Kandula Jayabharatha Reddy, Dy. Executive Engineer (AO.1), Sri P.Rajagopal, Jr.Assistant (AO.2), Sri R.Shabbir, Work Inspector(AO.3) & I/c TPBO and Sri Gagula Rachaiah, Asst. Engineer (Electrical) (AO.4) of Tadipatri Municipality, Anantapur District. The Hon'ble Special Judge for Trial of SPE & ACB Cases, Kurnool, was pleased to take the same on file and allot CC No.38 of 2015 in respect of AOs 1 & 4, C.C.No.8 of 2016 in respect of AO.3 and CC No.4 of 2016 in respect of AO.2. While the case was under trial, A.O.3 died and case was abated against him. Consequently, after closure of the trial, the Special Judge of Trial of SPE & ABC Cases, Kurnool pronounced common judgment on 12.06.2017 in C.CNo.38 of 2015 and 4 of 2016 finding the Accused Officers 1, 2 & 4 not guilty of the charges framed against them and acquitted. The Bureau is of the opinion that there are no grounds to prefer an appeal against the said common acquittal judgment in the Hon'ble High Court. The Director General, ACB, Vijayawada has requested the Government to communicate orders on the said acquittal judgment of the trial court at an early date.

4. Government after careful examination of the matter, consider that there are no grounds to assail the matter before Hon'ble High Court against the Judgment of the Court of Spl. Judge for ACB Cases, Kurnool and therefore decided to drop further action against Sri Kandula Jayabharatha Reddy, Dy.Executive Engineer & Municipal Commissioner(FAC), Sri P. Raja Gopal, Jr. Asst., (AO-2) and Sri G.Rachaiah, Asst. Engineer & i/c. TPBO, office of the Municipal Commissioner Tadipatri of Anantapur District. Accordingly, Government hereby drop further action against Sri Kandula Jayabharatha Reddy, Dy.Executive Engineer & Municipal Commissioner(FAC), Sri P. Raja Gopal, Jr. Asst., (AO-2) Sri R. Shabbir, Work Inspector, i/c. TPBO (AO-3) and Sri G.Rachaiah, Asst. Engineer & i/c. TPBO, office of the Municipal Commissioner Tadipatri of Anantapur District, in view of acquittal by the Hon'ble Spl. Judge for ACB Cases, Kurnool vide its order dt. 12.08.2017 in C.C.Nos.38 of 2015 and 4 of 2016.

5. The Director General, Anti Corruption Bureau, AP., Vijayawada / the Director of Municipal Administration, AP., Guntur/ the Engineer-in-Chief, Public Health, Guntur shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN

PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General, Anti Corruption Bureau, AP., Vijayawada.

The Engineer-in-Chief, Public Health, Tadepalli, Guntur

The Director of Municipal Administration, AP., Guntur.

The individuals through DMA, AP., Guntur

Copy to:

The Secretary to, APVC, A.P.Secretariat, Velagapudi.

The Commissioner, Tadipatri Municipality, Anantapur District.

The Principal Accountant General, (A&E), AP., Hyderabad.

Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER